

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

UNITED STATES OF AMERICA

V.

LEVI WOODERTS, JR.

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Criminal No. 3:97-CR-054-D

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

After making an independent review of the pleadings, files, and records in this case, and the February 9, 2007 findings, conclusions, and recommendation of the magistrate judge, the court concludes that the findings and conclusions are correct. It is therefore ordered that the findings, conclusions, and recommendation of the magistrate judge are adopted. Defendant's February 20, 2007 objections are overruled, and his February 20, 2007 motion requesting an evidentiary hearing for writ of quo warranto is denied.

Accordingly, it is ordered that defendant's writ quo warranto, filed on February 6, 2007, is construed as a petition for writ of habeas corpus seeking relief pursuant to 28 U.S.C. § 2241. The clerk of court is directed to docket defendant's motion as a new habeas corpus petition pursuant to 28 U.S.C. § 2241, with a new civil docket number, and restyle the case as *Levi Wooderts, Jr., Petitioner, vs. United States of America, Respondent*. The petition is to be assigned directly to the undersigned's docket. The clerk is also directed to terminate statistically the motion in the criminal case (docket no.

613), and to refer the new civil action to United States Magistrate Judge Wm. F. Sanderson, Jr. for further proceedings and/or findings and recommendation.

SO ORDERED.

February 21, 2007.



SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE